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SUBJECT: TIP: INTERIM ASSESSMENT FOR NEA SPECIAL WATCHLIST-UAE

REF: (A) STATE 175900

- (B) ABU DHABI 4286
- (C) ABU DHABI 4261
- (D) ABU DHABI 3689
- (E) ABU DHABI 3616
- (F) ABU DHABI 2809

11. (U) Summary: Since the release of the June 2006 TIP Report, the UAEG has made steady progress in addressing the problem of trafficking in the UAE, especially with regard to women in the sex trade and laborers working in servitude. The answers in paragraphs 2-7 below are keyed to the six questions specifically posed in ref A. End summary.

12. (SBU) Q: What progress has UAEG made in increasing criminal investigations and prosecutions of trafficking crimes and punishment of these crimes with adequate jail sentences?

A: No statistics have been provided since May 2006 regarding investigations and prosecutions of trafficking crimes. Prior to November 2006, there was no law specifically against "trafficking," and most trafficking crimes were prosecuted under different parts of the penal code including those against slavery, kidnapping, and various statutes related to sex-crimes. In September 2006, Ministry of Justice officials explained that the ministry is willing to provide any and all trafficking related statistics which it has to the USG, but claimed that any failure to do so is only because they do not have complete records that correlate to USG reporting requirements.

13. (SBU) Q: What progress has the UAEG made in instituting formal procedures for the identification of trafficking victims among at-risk populations, particularly foreign women arrested for prostitution or immigration law violations?

A: The Ministry of Interior reports that Abu Dhabi and Dubai Immigration officials have instituted a two-prong approach to prevent women being trafficked for prostitution from entering the UAE. The first prong seeks to limit the number of potential victims through known vectors (i.e., travel and tourism companies from source countries that have been used to traffic women previously) by either subjecting those companies' passengers to secondary screening, or canceling those companies' future visa transactions altogether. The second prong uses victim profiling at ports of entry to identify at-risk groups (i.e., women under the age of 25, traveling alone, and from a known source country, may not only subject to additional scrutiny, but have reportedly been denied entry en masse.) This second prong of profiling often feeds the first prong by identifying suspicious travel companies.

In 2005, Dubai Police Criminal Investigations Department (CID) established a Human Trafficking section that cooperates closely with the Human Rights Care Department (HRCD). According to police officials, whenever CID has a possible trafficking case, the case is referred to HRCD, which interviews the detainees, specifically screening for trafficking victims. HRCD then returns cases that

indicate human trafficking to CID for further investigation and prosecution of identified traffickers.

In July 2006, Minister of Labor Dr. Ali bin Abdullah Al-Kaabi told the press that the Ministry of Labor is developing a program to oversee all labor recruitment. Describing labor recruiting agencies as "corrupt and mafia-like organizations," Al-Kaabi stated that plans were under way to shut down the manpower agencies that recruit construction laborers for the UAE. He also announced that he would travel to Pakistan, India, Bangladesh, Nepal, and the Philippines to pursue labor exchange agreements that would eliminate the middlemen from construction-labor recruitment, thereby eliminating the excessive fees in obtaining work visas.

14. (SBU) Q: What progress has the UAEG made in providing protection for identified victims, separate from detention facilities?

A: Abu Dhabi Immigration officials stated in November 2006 that the Ministry of Interior is providing shelter assistance for trafficking victims, and that a hotline has been set up to facilitate victim access to government assistance. The officials explained that instead of creating a new shelter as was recommended in the TIP action plan, the UAEG had broadened access to existing social support programs to include trafficking victims (ref C).

15. (SBU) Q: What progress has UAEG made in drafting comprehensive anti-trafficking legislation that criminalizes labor forms of trafficking and guarantees protection for victims of trafficking?

A: On November 10, UAE President Khalifa bin Zayed Al-Nahyan issued a federal law to combat human trafficking in the UAE. The law defines trafficking in generally the same manner as the U.N. Protocol to Prevent, Suppress and Punish Trafficking in Persons, upon which the UAE legislation is reportedly based (ref B). This law significantly clarifies the UAE's criminalization of human trafficking, and appears

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to address all forms of human trafficking, with emphasis on sex and labor trafficking. Although the law does not specifically refer to "debt bondage," the law's definitions appear to be significantly broad to include this form of labor trafficking.

16. (SBU) Q: What progress has UAEG made in ratifying the 2000 U.N. Protocol to Punish, Prevent and Suppress Trafficking in Persons, Especially Women and Children?

A: In past discussions with UAEG officials, ratification of the U.N. protocol and the passing of anti-TIP legislation have often been spoken of in tandem. With the enactment of an anti-TIP law in November that closely follows U.N. protocol definitions, Post expects the protocol to be ratified in the near future, and officials involved have stated as much.

17. (SBU) Q: What progress has UAEG made in formulating regulations to ensure that victims of trafficking are not fined or otherwise punished even if they entered the UAE illegally?

A: There is no evidence that new written regulations have been specifically created to protect trafficking victims from fines or punishment. However, officials in both Abu Dhabi and Dubai point to the relatively new practices of sheltering victims in non-detention facilities, providing them with medical and social services, and assisting them in returning to their home countries, as illustrations of treatment that victims could expect even without formal regulations.

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